

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

RANDY SCOTT JONES,
Defendant.

MEMORANDUM DECISION AND
ORDER DENYING MOTION TO
SUPPRESS AS MOOT AND
EXCLUDING TIME

Case No. 2:06-CR-596 TS

This matter is before the Court on Defendant's Motion to Suppress and the government's Response. The government represents that it will not seek to introduce the evidence at issue in the Motion to Suppress and seeks to have the evidentiary hearing vacated. It is therefore


ORDERED that Defendant's Motion to Suppress (Docket NO. 14) is DENIED as MOOT because the government will not seek to introduce the evidence that is the subject of the Motion. It is further

ORDERED that the evidentiary hearing set for December 1, 2006, at 9:00 a.m. is VACATED. New dates for the final pretrial conference and jury trial will be set by separate notice. It is further

ORDERED that pursuant to 18 U.S.C. § 3161(h)(1)(F), the time between the filing of the Motion and this Order is excluded in computing the time within which the trial must commence.

DATED December 1, 2006.

BY THE COURT:



TED STEWART
United States District Judge